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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,518	10/24/2003	Ernest C. Weyhrauch	FMO P-3300-4	2230

27305 7590 04/05/2005

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EXAMINER

SANTIAGO, MARICELI

ART UNIT PAPER NUMBER

2879

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/693,518

Applicant(s)

WEYHRAUCH, ERNEST C.

Examiner

Mariceli Santiago

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19 is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 9-11, 13, 14, 16 and 18 is/are rejected.
- 7) ☒ Claim(s) 6, 8, 12, 15 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Specification*

The current status of all nonprovisional parent applications referenced should be included. Reference to parent applications should be updated to recite the patent number of the parent application.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Curtis (US 2,315,504).

Regarding claim 1, Curtis discloses a method of forming an incandescent lamp, comprising the steps of forming a first lead wire (5) by flattening an end portion (5') of a section of electrically-conductive wire, providing a second lead wire (7) formed from a section of electrically-conductive wire, attaching a filament (2) between the second lead wire and the flattened end portion of the first lead wire with the flattened end portion being oriented such that the flattened end portion lies within a plane that intersects the filament, and sealing the filament and at least a portion of the first and second lead wires within a glass envelope (Fig. 7).

Regarding claim 10, Curtis discloses a method of forming an incandescent lamp, comprising the steps of flattening an outer end section (5') of a first lead wire (5) such that the first lead wire has a generally circular cross-sectional shaped portion (5) and a generally non-circular cross-sectional shaped portion (5'), both of electrically-conductive wire, where the non-

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circular cross-sectional shaped portion has a wide profile and a narrow profile (Fig. 3), providing a second lead wire (7) formed from a section of electrically-conductive wire, attaching a filament (2) between the non-circular cross-sectional shaped portion of the first lead wire and the second lead wire, orientating the first lead wire such that the narrow profile is aligned in the direction of light emitted by the filament, and sealing the filament and at least a portion of the first and second lead wires within a glass envelope (1).

Claim 1, 4 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Meeker et al. (US 2,145,186).

Regarding claim 1, Meeker discloses a method of forming an incandescent lamp, comprising the steps of forming a first lead wire (12) by flattening an end portion (21) of a section of electrically-conductive wire, providing a second lead wire (13) formed from a section of electrically-conductive wire, attaching a filament (11) between the second lead wire and the flattened end portion of the first lead wire with the flattened end portion being oriented such that the flattened end portion lies within a plane that intersects the filament, and sealing the filament and at least a portion of the first and second lead wires within a glass envelope (Fig. 1).

Regarding claim 4 and 5, Meeker discloses method wherein the forming step further comprises applying a roughened surface treatment to the flattened end portion, wherein the applying step further comprises deforming the end portion to produce the roughened surface treatment (Fig. 4).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curtis (US 2,315,504) in view of Belknap (US 3,040,204).

Regarding claims 2 and 11, Curtis discloses the claimed invention except for the limitation of the forming step further comprising stamping the end portion. However, in the same field of endeavor, Belknap discloses the conventional use of stamping techniques in order to flatten end portions of a lead-wire member. Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate the stamping technique disclosed by Belknap in the method of Curtis in order to flatten end portions of a lead-wire member.

Claims 7 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curtis (US 2,315,504) in view of Johnston et al. (US 3,712,701).

Regarding claims 7 and 16, Curtis discloses a method wherein the sealing step further comprises sealing the filament and at least a portion of the first and second lead wires within a glass envelope. Curtis is silent in regards to the glass envelope containing a halogen gas. However, in the same field of endeavor, Johnson discloses the conventional use of incandescent lamps as halogen type lamps, into which a gas containing a halogen gas is introduced. One skilled in the art would reasonably expect the successful performance of the incandescent lamp disclosed by Curtis for use as a halogen type incandescent lamp as evidenced by Johnson. Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate a halogen gas into the glass envelope of Curtis in order to produce a halogen type incandescent lamp.

Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curtis (US 2,315,504) in view of Martin (US 3,840,953).

Regarding claims 9 and 18, Curtis discloses the claimed invention except for the limitation of the steps of securing the lead wires together using a bridge and sealing the bridge within the glass envelope along with the filament and lead wires. However, in the same field of endeavor, Martin discloses a method of manufacturing an incandescent lamp further comprising the steps of securing the lead wires together using a bridge (32) and sealing the bridge within the glass envelope (12) along with the filament (20) and lead wires (34 and 26) in order to maintain the filament and lead wires in assembled operative relationship. Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate the bridge member disclosed by Martin to the method of Curtis in order to maintain the filament and lead wires in assembled operative relationship.

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curtis (US 2,315,504) in view of Belknap (US 3,040,204), and further in view of DeCaro et al (US 4,370,589).

Regarding claims 13 and 14, Curtis-Belknap fail to disclose the limitations of the flattening step further comprises applying a roughened surface treatment to the non-circular cross-sectional shaped portion and wherein the applying step further comprises deforming the non-circular cross-sectional shaped portion to produce the roughened surface treatment. However, in the same field of endeavor, DeCaro discloses a method of manufacturing an incandescent lamp further comprising the step of deforming the end portion of the lead-wires to produce a roughened surface (Fig. 3), such technique provides a series of "high resistance" contact areas established during the welding operation which concentrates the welding current

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at localized points along the conductor with the result that the filament leg is pressed into and firmly embedded in the heat-softened or melted crown portions of the individual serrations, consequently, facilitating the welding operation (by reducing the quantity of lead-in conductor material that must be resistively heated by the welding current) and forming a series of welds at a plurality of spaced locations along the length of the lead-in conductor. . Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate the roughened surface treatment disclosed by DeCaro in the method of Curtis-Belknap in order facilitate the welding operation and provide a strong and reliable junction between the lead-wire and the filament contact.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meeker et al. (US 2,145,186) in view of Belknap (US 3,040,204).

Regarding claims 2 and 3, Meeker discloses the claimed invention except for the limitation of the forming step further comprising stamping the end portion. However, in the same field of endeavor, Belknap discloses the conventional use of stamping techniques in order to flatten end portions of a lead-wire member. Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate the stamping technique disclosed by Belknap in the method of Meeker in order to flatten end portions of a lead-wire member. Furthermore, Meeker discloses the forming step further comprises applying a roughened surface treatment to the flattened end portion by providing a roughened texture to the end portion.

***Allowable Subject Matter***

Claims 6, 8, 12, 15, 17 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 6 and 15, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claims 6 and 15, and specifically comprising the limitation of the applying step further comprises applying a coating to the end portion to produce the roughened surface treatment.

Regarding claims 8 and 19, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claims 8 and 19, and specifically comprising the limitation of attaching a second filament between the second lead wire and the flattened end portion of the third lead wire with the flattened end portion of the third lead wire being oriented such that the it lies within a plane that intersects the second filament.

Regarding claim 12, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 12, and specifically comprising the limitation of the flattening step further comprises stamping the outer end section using a tool that imparts a roughened surface texture to the non-circular cross-sectional shaped portion.

Regarding claim 17, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claim 17, and specifically comprising the limitation of attaching a second filament between the non-circular cross-sectional shaped portion of the third lead wire and the second lead wire and orientating the third lead wire such that the narrow profile of the third lead wire is aligned in the direction of light emitted by the second filament.



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***Other Prior Art Cited***

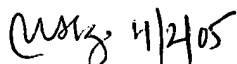
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariceli Santiago whose telephone number is (571) 272-2464. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Mariceli Santiago  
Patent Examiner  
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